

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
Colonial Red Lion
Helena, MT
FEBRUARY 20, 2008

Commission Members Present: Steve Doherty, Chairman; Shane Colton, Vice-Chair; Vic Workman; Dan Vermillion; Willie Doll.

Fish, Wildlife & Parks Staff Present: Jeff Hagener, Director, and FWP Staff.

Guests: See February 20, 2008 Commission file folder for those who signed in.

Topics of Discussion:

1. **Call to Order - Pledge of Allegiance**
2. **Approval of Commission Meeting Minutes of January 14, 2008**
3. **Approval of Commission Meeting Minutes of January 17, 2008**
4. **Approval of Commission Expenses through January, 2008**
5. **Recognition Award to Harold Wentland for 40 years of Service to FWP**
6. **Paddlefish Roe Committee Approval – Final**
7. **North Shore Conservation Easement – Final**
8. **2008-2009 Hunting Season Dates – Final**
9. **Biennial Quotas - 2008-2009 Deer, Elk, Antelope, Moose, Sheep, Goat, and Black Bear - Final**
10. **2008-2009 Wolf Seasons and Boundaries – Final**
11. **2008-2009 Game Damage Permit Authorizations – Final**
12. **2008-2009 Upland Game Bird and Turkey Seasons and Quotas - Final**
13. **2008-2009 Black Bear Seasons and HD Boundaries – Final**
14. **2008-2009 Moose, Sheep and Goat Seasons and HD Boundaries – Final**
15. **2008-2009 Deer, Elk and Antelope Seasons and HD Boundaries – Final**
16. **2008/2009 Lion Seasons and HD Boundaries – Final**
17. **Open Microphone – Public Opportunity to Address Additional FWP Issues**

1. Opening - Pledge of Allegiance. Chairman Doherty called the meeting to order at 8:30 a.m. and led the Pledge of Allegiance.

2. Approval of January 14, 2008 Commission Meeting Minutes.

Action: Colton moved and Workman seconded the motion to approve the January 14, 2008 meeting minutes. Motion carried

3. Approval of January 17, 2008 Commission Meeting Minutes.

Action: Colton moved and Vermillion seconded the motion to approve the January 17, 2008 meeting minutes. Motion carried

4. Approval of January, 2008 Commission Expenses.

Action: Workman moved and Doll seconded the motion to approve the January expenses as presented. Motion carried.

5. Recognition Award to Harold Wentland for 40 years of Service to FWP. Director Hagener recognized Harold for his many accomplishments, and for his passion for managing the wildlife resources of Montana since embarking on his career as a biologist in 1968. He was presented a duck decoy crafted by Big Sky Carvers as a token of thanks for his dedication and commitment, followed by a standing ovation.

6. Paddlefish Roe Committee Approval – Final. Chris Hunter, FWP Fisheries Division Administrator, explained that Montana statutes authorize one non-profit organization to collect, process and sell paddlefish roe under state regulations. The Glendive Chamber of Commerce & Agriculture is the current organization selected to participate in this program. State law requires the selected organization to appoint a committee comprised of one member of the organization, two area local government representatives and two representatives of area anglers. The committee is responsible for soliciting proposals for historical, cultural, recreational, and fish and wildlife activities, and funding projects. The committee must notify the Commission of its actions. The recommended committee members remain the same as for 2007.

Action: Doll moved and Colton seconded the motion to approve the Paddlefish Roe Program Advisory Committee as recommended by the Glendive Chamber of Commerce and Agriculture, and directed the Department to enter into an MOU with the Chamber for the 2008 paddlefish season. Motion carried.

7. North Shore Conservation Easement – Final. Joe Maurier, FWP Parks Division Administrator, explained that this 5-acre site is located on the north shore of the Missouri River near Great Falls, directly across the river from the Lewis & Clark Interpretive Center and Giant Springs State Park.

The property, known as the Wilhelm property, was acquired in fee title by the Lewis & Clark Interpretive Center Foundation in 2006. The proposed conservation easement will improve access to public lands and recreational opportunities, will secure private lands for future expansion of the River's Edge Trail system, and will protect open space and the view shed, and historic landscapes along the Missouri River corridor. No operations and maintenance costs are involved.

Action: Doll moved and Colton seconded the motion to approve the proposed North Shore Conservation Easement, as described in the Department's Decision Notice of January 28, 2008. Motion carried.

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**Ken McDonald, FWP Wildlife Division Administrator,** began the wildlife portion of the meeting by explaining that the proposed tentatives were widely publicized. They were placed on the FWP website, sent to several people who requested them, and statewide public meetings were held in 44 locations. FWP received 1,952 written comments regarding big game, and 954 comments relative to wolves. Over 2,600 people attended the public hearings. The proposed final recommendations are based on the public's comments and on further analysis by FWP.

**8. 2008-2009 Hunting Season Dates – Final.** Season dates are currently adopted biennially for all game species with tentative adoptions set in December, and final adoptions set in February. These dates are a combination of fixed dates (mountain grouse; Sept 1 – Dec 15) and “formula” dates (general deer and elk; counting backwards five weeks from Thanksgiving Sunday). For the “formula” dates, there is an annual change due to the year-to-year progression of the calendar. That means at least one day’s difference and, periodically, nearly a full week. McDonald reported that the majority of the comments opposed setting fixed dates. The traditional process was preferred where the big game season opened five weeks before Thanksgiving weekend.

*Action: Doll moved and Colton seconded the motion to retain the traditional process for setting the final 2008-2009 Hunting Season dates as recommended by the Department. Motion carried.*

**9. Biennial Quotas - 2008-2009 Deer, Elk, Antelope, Moose, Sheep, Goat, and Black Bear – Final.** Season structures (dates, license types) are currently adopted biennially for all big game species. This happens every other winter with Tentative adoptions in December, and Final adoptions in February. Quotas (numbers of licenses and permits) are currently adopted annually in late spring and summer to take advantage of annual survey information gathered the preceding winter and spring.

This proposal would change the annual quota adoptions for deer, elk, antelope, moose, sheep, goat and black bear to a biennial process, which would also be in line with the current season-structure decision process. Commission adoption of mountain lion quotas would remain an annual process. If changes to quotas are significant and go outside of the established range, the decision would be brought before the Commission for approval.

*Action: Colton moved and Vermillion seconded the motion to approve the Final quota ranges and biennial process as proposed. Motion carried.*

**10. 2008-2009 Wolf Seasons and Boundaries – Final.** This final rule would create the basic regulatory framework and season structure for public harvest (e.g. management units, season dates, and other general regulations) for implementation upon successful delisting. Harvest levels would be determined by the Commission at a later date. FWP intends to proceed cautiously and conservatively to not jeopardize wolf recovery.

Modifications to the Tentatives include clarification on use of baits and scents, and adjusting the start date to the opening of the general deer and elk season except for backcountry areas (September 15). Trapping would be excluded for the first two years with hunters allowed to harvest the 25% trapping quota during the trapping season (December 1 - December 31) in the absence of trapping. During annual quota setting, specific areas (i.e., sub-areas) may be defined and assigned harvest sub-quotas.

*Action: Colton moved and Vermillion seconded the motion to approve the final wolf season structure as proposed by the Department.*

Chairman Doherty asked for public comment.

Gary Carvajal – suggested considering a September 15 opener.

Randy Neuberg, HFGA – unhappy with trapping quotas

Mac Minard, MOGA – supports the seasons as discussed, and understands withdrawing trapping. Supports the motion.

Janelle Holden, Livingston, Keystone Conservation – expressed thanks and support for the changes and the exclusion of trapping.

Tom Barnes, Dillon, MTA – wants to make trapping wolves a viable process when the time arises.

Barb Cestero, Bozeman, Greater Yellowstone Coalition – thanked the Commission and expressed support for the proposals.

*Action on Motion: Motion carried.*

#### **11. 2008-2009 Game Damage Permit Authorizations – Final.**

No proposed changes to the tentatives. Game damage quotas apply to management seasons and will convert to the biennial process.

*Action: Doll moved and Workman seconded the motion to adopt the Final 2008-2009 Game Damage Permit Authorizations as recommended by the Department. Motion carried.*

#### **12. 2008-2009 Upland Game Bird and Turkey Seasons and Quotas – Final.**

No quota changes from 2008. Game damage quotas apply to management seasons and will convert to the biennial process. Falconry limits are NOT in addition to hunting bag and possession limits.

##### Statewide

Youth pheasant weekend proposed for ~~weekend before general pheasant opener~~ **youth waterfowl weekend. Youth pheasant hunting would start at noon on these two days and would allow a single hen in the daily bag limit. Youth would be 12 - 15 and would need to be accompanied by a non-hunting adult 18 years of age or older.**

*Action: Colton moved and Workman seconded the motion to approve a special youth pheasant weekend that would coincide with youth waterfowl day and would open at legal shooting light and would not allow one hen in the bag.*

Chairman Doherty asked for public comment.

Undiscernable Name – supports this motion, but would rather see it happen the week before the opener.

Stan Frasier, Montana Wildlife Federation, supports the motion.

Glen Hockett, Gallatin Wildlife Association, supported the original proposal but approves of this motion.

Undiscernable Name – the changes do not reflect public comment. Does not like the noon opener. Supports the original proposal.

*Action on Motion: Motion carried.*

##### Region 1 (Turkey)

**Lincoln County** – Implement over-the-counter either sex licenses for Fall Season **and** propose 400 Gobbler permits for Spring.

**West Sanders County** – Implement over-the-counter either sex licenses for Fall Season **and** propose **300 400** Gobbler permits for Spring.

**East Sanders County** – No Fall Season **and** propose 10 Gobbler permits for Spring.

Region 2 (Turkey)

**Mineral County** – Implement Fall Season with permits **and** increase permits as follows:

282-20: Issue 25 Male Turkey Permits for Spring Season (Shotgun/Archery Only)

282-50: Issue 25 Either-sex Turkey Permits for Fall Season (Shotgun/Archery Only)

**Missoula County** - Implement Fall Season with permits **and** increase permits as follows:

283-20: Issue 50 Male Turkey Permits for Spring Season (Shotgun/Archery Only)

283-50: Issue 50 Either-sex Turkey Permits for Fall Season (Shotgun/Archery Only)

**Ravalli County** – Remove Ravalli County from General License Area in regulations; maintain permit structure for Fall.

Region 3 (Turkey)

**HD 365** – Implement new HD that is Lewis and Clark and Broadwater Counties (Lower Missouri Unit); **Spring permits** would be 20 (365-20) and 2 (365-21); **Fall permits** would be 25 (365-50) and 2 (365-51).

**HD 375** - Implement new HD that is Gallatin County and Madison County east of Madison River (Gallatin County Unit); **Spring permits** would be **5 15** (375-20) and 2 (375-21); **Fall permits** would be 10 (375-50) and 2 (375-51).

**HD 385** – No change.

**HD 395** – Implement new HD that is Beaverhead, Silver Bow, Jefferson Counties and Madison County west of Madison River (Upper Missouri Unit); **Spring permits** would be **15 35** (395-20) and **2 5** (395-21); **Fall permits** would be 20 (395-50) and 2 (395-51).

*Action: Colton moved and Doll seconded the motion to adopt as Final the 2008-2009 Upland Game Bird Seasons and 2008 quotas as proposed.*

Chairman Doherty asked for public comment. There was none.

*Action on Motion: Motion carried.*

**13. 2008-2009 Black Bear Seasons and HD Boundaries – Final.**

No recommended changes to the tentatives.

*Action: Colton moved and Vermillion seconded the motion to approve the final 2008 and 2009 Black Bear Hunting Seasons and Hunting Districts as recommended by the Department. Motion carried.*

**14. 2008-2009 Moose, Sheep and Goat Seasons and HD Boundaries – Final.**

*The Commission does not take further public comment when it takes executive action to adopt the final hunting season regulations except when the Commission considers an amendment to the Tentatives. Whenever an amendment to the Tentatives is moved and seconded, the Commission will then take public comment on that amendment. The public comment will be limited strictly to the substance of the amendment.*

Region 1 – Moose

No recommended changes to the tentatives.

Region 2 - Moose

**HD 210** – Convert antlerless moose licenses to Either Sex.

**HD 211** - Eliminate antlerless moose licenses.

**HD 214** – Convert antlerless moose licenses to Antlered Bull.

**HD 215** - Convert antlerless moose licenses to Either Sex.

**HD 298 – Create new moose hunting district by combining current moose hunting district 292 with deer/elk HD 298.**

~~**HD 298 – Create new moose hunting district by combining current moose hunting district 292 with deer/elk HD 298.**~~

Region 3 – Moose

**HD 302** – Reduce antlerless licenses from 5 to 1 **and** antlered bull licenses from 5 to 4.

**HD 334** – Adjust season and license structure to the following:

Sep 15 – Nov 30 5 Either Sex (334-00)

Nov 15 – Dec 15 6 Antlerless (334-11)

**HD 390** - Implement new hunting district 390 (West Big Belt Mountains). Two Antlered Bull licenses (390-20) recommended.

Region 4 – Moose

No recommended changes to the tentatives.

Region 5 – Moose

No recommended changes to the tentatives.

Region 6 – Moose

**HD 600** - Implement new hunting district 600 (Hi Line). Two Either Sex licenses (600-20) recommended.

Region 7 - Moose

No recommended changes to the tentatives.

*Action: Workman moved and Vermillion seconded the motion to approve the Final 2008-2009 Moose Hunting Seasons and Hunting Districts as proposed.*

Statewide - Sheep

~~**Implement archery only season for limited entry sheep licenses to run for 10 days prior to the start of any district's general sheep season opener. This would not include HD 301 or the unlimited entry districts.**~~

Region 1 - Sheep

**HD 121** – Implement **10 5 adult** ewe licenses (121-30).

Region 2- Sheep

No recommended changes to the tentatives.

Region 3 – Sheep

**HD 301** – Re-open and implement 5 any ram licenses

**HD 380 – Close to hunting of all bighorn sheep**

Region 4 – Sheep

No recommended changes to the tentatives.

Region 5 – Sheep

**HDs 500, 501 and 502** – Adjust boundaries of HDs 500 and 501 **and** create new HD Season would be unlimited license sale with harvest quota of 2 legal rams.

**HD 503** – Adjust license structure from (503-10) 3 Legal Ram licenses to (503-00) 3 Either Sex licenses

Region 6 – Sheep

**HDs 620 and 680** – Expand HD 680 Either Sex licenses to be valid in HD 620 also.

**HD 622** - **Increase the size of HD 622 by incorporating deer/elk HD 631** and Implement 5 adult ewe licenses valid in Mickey and Brandon Buttes area (portion of HD west of the Renolds Hill Road).

Region 7 - Sheep

No recommended changes to the tentatives.

*Action: Workman moved and Vermillion seconded the motion to approve the 2008-2009 Final Sheep regulations as proposed.*

Chairman Doherty asked for public comment:

Gary Carvajal – asked the Commission to reconsider an early opener for more opportunity.

*Action: Colton moved to amend the motion to include a 10-day archery-only season for all sheep districts except the unlimited entry districts and HD301. Amendment accepted by Workman and Vermillion.*

Chairman Doherty asked for public comment. There were none.

*Action on Amended Motion: Motion carried.*

Region 1 – Mountain Goats

No recommended changes to the tentatives.

Region 2- Mountain Goats

**HD 212** – Propose to close district to all goat hunting.

Region 3 – Mountain Goats

**HD 321** – Propose to close district to all goat hunting.

**HD 322** – Propose to close district to all goat hunting.

Region 4 – Mountain Goats

No recommended changes to the tentatives.

Region 5 – Mountain Goats

No recommended changes to the tentatives.

Region 6 – Mountain Goats

No recommended changes to the tentatives.

Region 7 - Mountain Goats

No recommended changes to the tentatives.

*Action: Colton moved and Workman seconded the motion to approve the Final 2008 and 2009 Goat Hunting Seasons and Hunting Districts as proposed. Motion carried.*

# **15. 2008-2009 Deer, Elk and Antelope Seasons and HD Boundaries – Final.**

*The Commission does not take further public comment when it takes executive action to adopt the final hunting season regulations except when the Commission considers an amendment to the Tentatives. Whenever an amendment to the Tentatives is moved and seconded, the Commission will then take public comment on that amendment. The public comment will be limited strictly to the substance of the amendment.*

## Region 1 – Deer

**HD 170** - Adjust boundary of deer/elk HD 170 and increase 170-10 OTC antlerless white-tailed deer license limit per hunter from 1 to 5.

Implement Libby Archery Only Hunting Area.

Eliminate Antlerless Mule Deer Permits 100-60, 103-60, 104-60, 121-60, 122-60, 123-60.

Replace with the following Antlerless Mule Deer B Licenses:

100-01 50 licenses

103-01 50 licenses

104-01 50 licenses

**109-01 25 licenses**

121-01 50 licenses

122-01 50 licenses

123-01 25 licenses

Eliminate Old Steel and Stillwater hunting closures.

Licensed hunters with “Permit to Hunt From a Vehicle” (PTHFVP) added to youth 5-week either sex white-tailed deer opportunity where present.

## Region 2 – Deer

**HDs 210, 212, 213, 214 and 215 – Add antlerless mule deer B licenses as follows:**

**210-00 50 licenses**

**212-00 100 licenses**

**213-00 25 licenses**

**214-00 25 licenses**

**215-00 50 licenses**

**HD 212** - Expand antlerless mule deer B licenses (212-00) to all of HD 212 and increase to 100.

**HD 214** - Implement unlimited mule deer buck permits. **Implement unlimited mule deer buck permits in HDs 212 and 213 as well. HDs 213 and 214 would be grouped.**

**HDs 202, 210, 212, 213 and 216** - Eliminate antlerless white-tailed B licenses 202-02, 210-00, 212-01, 213-00, 216-00.

**HDs 291, 292, 293 and 298** - Create new deer/elk HD 298 comprised of **HD290** portions of HD’s 291, 292 and 293 **(HD 290 to remain a separate district with slight boundary modification. East Ovando Archery-only area maintained. HDs 291 and 293 with slight boundary modifications from Tentative)**. Existing season structure and dates for HD 290 would continue. Propose to establish the following deer hunting season structure in HD 298:

Sep 6 – Oct 19 -- Either-sex White-tailed Deer. Archery Only Season.

Oct 26 – Nov 2 -- Either-sex White-tailed Deer.

Oct 26 – Nov 30 -- Either-sex White-tailed Deer. Only Youth ages 12-15.

Nov **23** – Nov 30 -- Antlered Buck White-tailed Deer.

**Special Permit. Drawing only. Apply by June 1.**

**002-10: Single Region B license for White-tailed deer valid in HD 298.**

**298-40: 0: — Unlim. Permits. Permit must be used with a valid Deer A License. Holders may not hunt Antlered Buck Mule Deer in any other HD.**

- Sep 6 – Oct 19 -- Antlered Buck Mule Deer. Archery Only Season.

- Oct 26 – Nov 30 -- Antlered Buck Mule Deer

Region 3 – Deer

**HD 309** - Expand HD boundary.

**HDs 309, 311, 312 and 393** - Clarify/adjust HD boundaries.

**HD 339** - Adjust HD boundary.

**HD 388** - Adjust HD boundary **and** increase 388-10 OTC antlerless mule deer B license limit per hunter from 1 to 7.

Region 4 – Deer

**HDs 413 and 445** – implement 500 antlerless white-tailed B licenses valid in HDs 413 and 445 (445-01).

**HDs 421** - Implement general ES mule deer season for all of archery and rifle seasons in all of HDs 421.

**HD 423 – Eliminate “off of National Forest” limitation relative to ES mule deer harvest.**

Region 5 – Deer

**HDs 500, 570 and 580** - Implement general ES mule deer season for all of archery and rifle seasons in all of HDs 500, 570 and 580.

**HD 530** - Implement general deer license valid for antlerless mule deer for all of archery and rifle seasons in all of HD 530.

Region 6 – Deer

**HDs 600, 610 and 690** - Incorporate parts of deer/elk HD 610 into HDs 600 and 690. 550 antlerless mule deer B licenses valid in new HD 600 **and** 550 antlerless mule deer B licenses valid in new HD 690. HD 610 will be eliminated.

**HDs 640, 641 and 670** - Incorporate parts of deer/elk HD 640 into HDs 641 and 670. Season structures in adjusted HDs 640, 641 and 670 will remain as they currently are.

**HD 641** – Implement 100 antlerless mule deer B licenses

**LPT 698-00 nonresident and 699-00 resident** antlerless white-tailed deer B licenses to be combined into one 699-00 with 5000 licenses available.

Region 7 - Deer

No recommended changes to the tentatives.

*Action: Workman moved and Vermillion seconded the motion to approve the Final 2008 and 2009 Deer Hunting Seasons and Hunting Districts as proposed. Motion carried.*

Statewide – Elk

**1. OPTIONS FOR ELK ARCHERY PERMITS: MISSOURI RIVER BREAKS**

After public comment, FWP advocates limited either sex (ES) elk archery permits in the Missouri River Breaks. As such, all options below include limited ES elk archery permits no later than 2009 with variations only in implementation timeline and permit levels.

**Option A:**

**2008: limited ES permits; any choice at Tentative adopted levels (75% of 3-year average) to include unlimited antlerless permits**

**HD 410/417: 1800**

**HD 620/621/622: 1250**

**HD 700/701: 820**

**PRO: Breaks treated as single management unit; decision process completed; antlerless option allows any applicant to hunt**

**CON: does not accommodate expressed concerns about bookings and financial commitments for 2008; unlimited antlerless has potential to maintain crowding**

**Option B:**

2008: limited ES permits; any choice; 100% of 3-year average; limited antlerless permits 2<sup>nd</sup> choice (after 1<sup>st</sup> choice ES in same district)

HD 410/417: 2400

HD 620/621/622: 1670

HD 700/701: 1090

2009: limited ES permits; any choice; 65% of 3-year average; limited antlerless permits 2<sup>nd</sup> choice (after 1<sup>st</sup> choice ES in same district)

HD 410/417: 1560

HD 620/621/622: 1080

HD 700/701: 720

PRO: phased implementation; Breaks treated as single management unit; antlerless option allows any unsuccessful ES permit applicant to participate

CON: 2008 cap may interfere with some bookings and financial commitments; antlerless option has potential to maintain crowding

**Option C:**

2008: maintain status quo

2009: limited ES permits; any choice; 65% (410, 620, 621, 622) and 100% (417, 700, 701) of 3-year average; no archery specific antlerless permits

HD 410: 1390

HD 620/621/622: 1080

HD 417: 260

HD 700/701: 1090

PRO: phased implementation; variable percentage to address comments focused on specific areas; treats Breaks as unit; no antlerless only archery option consistent with crowding concerns

CON: participation limited to successful ES applicants

*Note: Options may be adjusted or combined to include or swap percentages of historical use or other elements. Percentages of historical use are used only to identify starting permit levels. No percentage is being proposed as a formula for future permit levels.*

*Action: Colton moved and Workman seconded the motion to adopt Option B with the modification in 2008 – 100%, 2009 75% (any choice) either sex permits of 3-year average.*

Chairman Doherty asked for public comment on the motion only. He noted that FWP has received 1,952 comments and has held 44 public meetings where comments were accepted, and the comments provided by those people are valued as highly as those made at today's meeting.

Colton stated that the Commission has violated their own comment policy. None of the motions have actually called for public comment, therefore the Commission has violated their own comment policy to the benefit of those commenting.

Stan Frazier, MWF - supports the original proposal to implement limited permits for elk archery in the Breaks beginning in 2008, not a phased approach beginning in 2009. Need to address commercialization of public resources. Something needs to be done to resolve the issues, and the Commission is attempting to get on overcrowding, commercialization, public opportunity, and elk management. MWF supports setting limits to the 75% or 100% level of the 3-year average as proposed in Option A and B, but they do not support the phased-in implementation of Option C.

Gary Carvajal – in favor of Option C. Option B was the least attractive but still will implement changes they want to see made.

Dave Kozub - does this allow 2<sup>nd</sup> and 3<sup>rd</sup> choice? Do residents get 1<sup>st</sup> choice before non-residents. Lewistown folks are against this.

Mac Minard, MOGA – Option B, as is written, does not accomplish a phased approach. They support Option C. They look toward a phased approach.

Randy Neuberg, Headwaters Fish & Game Association, Bozeman – Option A is their preference, but Option B will suffice. The Commission will eventually need to address elk in the Breaks area.

Dave Lee - purchased 30,000 acres bordering the CM Russell Wildlife Refuge in eastern Montana and offered it specifically to disabled veterans for hunting. He expressed concerns regarding the impacts this proposal would have on his business and how he will inform clients who already have signed up for a hunt. He feels landowners may close their land. He preferred Option C.

Vito Quatraro – supports Option A. He does not like the idea of a guaranteed trophy tag. If it doesn't work in two years, change it then.

Larry Copenhaver, MWF, representing Public Lands Access Association and the Russell Country Sportsmen said the groups were not adverse to the phased in approach. Option B is reasonable.

Mary Ellen Schnurr – this affects other businesses than outfitting, such as gas stations, restaurants, hotels. The tourism dollars are from both residents and non-residents. Crowding is occurring on public land, and everyone is not necessarily a resident. Divide the licenses – have people pick if they want to hunt with a rifle or a bow at the beginning. Fix the system already in place before instituting a new one. Select Option C.

Jay Bodner, Montana Stockgrowers Association – there has been decreased landowner participation at comment hearings, however this issue has drawn huge comment from landowners. His organization supports Option C. Offer an opportunity to work with landowners to see what is acceptable to them. Phased approach has caused concern with landowners.

Mark Robbins – favors Option C to conduct business with clients that are already committed to. Outfitters have already paid insurance and obtained state permits. People in his area are opposed to being limited. If limiting archery, do it statewide.

Donna McDonald, MOGA – wants to bring a group to the table that represents everybody other than just the PL/PW. Want opinions from the whole state.

Steve Kamps, MBA - whichever option is chosen, MBA advocates that the 65% be increased to 75%.

*Action on Motion: Motion carried.*

## 2. OPTIONS FOR ELK ARCHERY PERMITS: OUTSIDE BREAKS

Outside Breaks areas (HD 425 proposed for removal for no rifle permits) have varied support for limited either sex (ES) elk permits. Listed options include incremental approaches from information gathering and criteria development to adoption of the Tentative.

### Option A:

2008: limited ES permits at Tentatively adopted levels; any choice, general license antlerless

HD 401/403: 90

HD 411/511/530: 620

HD 412: 140

HD 420: 70

HD 426: 30

HD 441/450: 140

HD 447: 330

HD 455: 40

HD 500: 80

HD 502/portion of 510: 50

Portion of HD 520: 80

HD 570: 50

HD 575: 90

HD 580-23: 40

HD 580-24: 60

HD 590-23: 360

HD 590-24: 190

HD 702/704/705: 440

PRO: all limited permit rifle areas treated similar ; decision process completed; antlerless option for general license allows any to hunt

CON: does not accommodate expressed concerns about bookings and financial commitments for 2008; does not accommodate public comments identifying conditions different than Breaks; antlerless option has potential to maintain or generate crowding

### Option B:

2008: 1<sup>st</sup> choice unlimited ES permits; general license antlerless; districts "bundled"

2009: limited ES permits; any choice; 100% of 2008 application; general license antlerless; districts "bundled"

HDs 401/403/441/450

HDs 411/412/426/511/530

HDs 420/447/455

HDs 500/570

HDs 502/portion 510 west of HWY 310/portion 520 east of West Fk of Rock Ck/575

HD portion 580 south of Sweetgrass Ck

HD 590

HD 702/704/705

PRO: phased implementation; all limited permit rifle areas treated similar; improved information from unlimited permits; antlerless option for general license allows any to hunt

CON: does not accommodate public comments identifying conditions different than Breaks; antlerless option has potential to maintain or generate crowding

### Option C:

2008: 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> choice unlimited ES permits; general license antlerless; districts "bundled" Initiate effort to develop criteria by September 1, 2008 that, if reached, would move district into limited permit.

PRO: phased implementation; process developed to treat all limited permit rifle areas similar when/where as per criteria; improved information from unlimited permits; antlerless option for general license allows any to hunt

**CON: antlerless option has potential to maintain or generate crowding**

**Note: Options may be adjusted or combined to include or swap percentages of historical use or other elements. Percentages of historical use are used only to identify starting permit levels. No percentage is being proposed as a formula for future permit levels.**

*Action: Colton moved and Workman seconded the motion to adopt Option B.*

Chairman Doherty asked for public comment.

Stan Frazier – supports limitations that can address commercialization on public access issues.

Gary Carvajal – MBA does not support Option B. There are two sets of circumstances when talking whether it is in the Breaks or out of the Breaks.

Randy Neuberg, HFGA – concerned about these outside of the Breaks. Feels this will stir the pot. They don't support any of the proposals.

Mac Minard, MOGA – does not see the need for these proposals outside of the Breaks.

Jay Bodner , MSGA – does not support any of these options.

*Action on Motion: Motion carried.*

**3. Elk permit waiting period: Implement 4-year waiting period for those limited entry ES elk permits with drawing odds 10% or less. Landowner preference would be excluded from waiting period Using 2007 statistics, the 4-year wait would then apply to the following districts:**

HDs 282-20, 283-20, 310-20, 313-11, 313-12, 313-13, 339-20, 362-11, 380-20, 401-20, 410-20, 425-20, 441-20, 447-20, 500-20, 502-20, 620-20, 621-20, 622-20, 631-20, 632-20, 690-20

**By statute, landowner preference cannot be excepted from a waiting period.**

**Action: No action taken.**

#### Region 1 – Elk

No recommended changes to the tentatives.

#### Region 2 – Elk

Offer unlimited A9/B12 licenses over-the-counter for archery only during the archery only season **region-wide in HDs 201, 203, 260, 283, 290 and 292 (greater Missoula area).** Commit to monitoring nonresident participation relative to 10% cap intent and consistency. The archery A9/B12 283-80 would be eliminated.

**HD 202** - Eliminate antlerless permits 202-02.

**HDs 204, 261 and 270** - Replace A7 licenses with antlerless permits in HDs 204, 261 and 270. General license antlerless harvest in HDs 204, 261 and the north half of HD 270 would close when a quota of 200 cow elk from HD 270 is checked at Darby Check Station. General license antlerless harvest in the south half of HD 270 would close when a quota of 300 cow elk from HD 270 is checked at Darby Check Station. Proposed antlerless permits are:

HD 204-00 5 permits

HD 261-00 25 permits

HD 261-01 valid only north of Birch Creek 50 permits

HD 270-00 75 permits

HD 270-01 125 permits

**HDs 210, 211, 212, 213, 214, 216, 282, 283, 284, 285 and 290** - Replace antlered bull regulation with brow-tined bull. Either sex would be stated as brow-tined bull or antlerless.

**HDs 210, 212, 213, 215, 216, 281, 283, 285, 291, 292 and 293** - Implement 7 day general license brow-tined bull or antlerless elk harvest from third Monday to fourth Sunday of rifle season **and** eliminate A9/B12 in HD 213 **and** combine 212-00 and 212-01 into 212-00 valid for all of HD 212. Propose antlerless permits are:

210-00 200 permits

212-00 300 permits

213-00 150 permits  
215-00 150 permits, 215-01 50 permits  
216-00 25 permits, 216-01 100 permits  
281-00 100 permits  
285-20 50 permits, 285-21 200 permits  
283-00 250 permits  
291-00 100 permits  
292-00 150 permits  
293-0 50 permits

**HDs 240 and 250** - Eliminate all A7 licenses in HDs 240 and 250 **and** adjust HD 240 and 250 general season to season-long brow-tined bull with 200 antlerless elk *permits in HD 240 and 50 antlerless elk permits in HD 250 (valid only in northeast portion of district).*

**HD 280** - Start brow-tined bull or antlerless season in backcountry HD 280 September 29 instead of start of general season.

**HD 282** - Replace A7 licenses with 75 antlerless elk permits.

**HD 283** - Adjust boundary of 283-02 for antlerless permits in Rattlesnake Wilderness Area. **Modification from Tentative excludes a portion of the proposed extension on the Gold Creek side.**

**HDs 291, 292, 293 and 298** - Create new elk/deer HD 298 comprised of **HD290 and** portions of HDs 291, 292 and 293 **(HD 290 to remain a separate district with slight boundary modification. East Ovando Archery-only area maintained. Slight boundary modifications from Tentative to HDs 291 and 293). General archery season in HD 290 would be adjusted to brow-tined bull or antlerless while the general rifle season would remain antlerless only.**

General archery and rifle season in HD 298 would be brow-tined bull or antlerless elk with 100 total A9/B12 licenses offered via the drawing.

Licensed hunters with "Permit to Hunt From a Vehicle" added to general elk license youth opportunities where present.

*Action: Workman moved and Colton seconded the motion to approve the statewide Final 2008-2009 Elk regulations as proposed.*

Chairman Doherty asked for public comment. There was none

*Action on Motion: Motion carried.*

*Action: Colton moved and Workman seconded the motion to approve the Region 1 Final 2008-2009 Elk regulations as proposed. Motion carried.*

### Region 3 – Elk

**HD 300** - Implement 5 week ES general season **and 250 200** total A9/B12 licenses through drawing.

**HD 301** - Reduce brow-tined bull general season from 5 weeks to the first two weeks of general rifle season.

**HD 301 – Brow-tined bull/antlerless for first two weeks (Oct 26 – Nov 9), brow-tined bull only for remainder of season. Reduce brow-tined bull general season from 5 weeks to the first two weeks of general rifle season.**

**HD 302 – Replace current brow-tined bull season and antlerless permits with a 5-week brow-tined bull or antlerless season**

**HD 310** - Implement unlimited brow-tined bull permits for archery and rifle seasons. **These would be offered 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> choice.**

**HD 312** - Implement 100 A9/B12 licenses valid on private lands through drawing.

**HD 313 – Add a general license brow-tined bull or antlerless opportunity during the general rifle season for youth ages 12–15.**

**HD 314** - Implement 1000 total A9/B12 licenses through drawing and replace ES season with brow-tined bull or antlerless season.

**HDs 315 and 393** - Implement unlimited A9/B12 licenses and commit to monitoring nonresident participation relative to 10% cap intent and consistency. In HD 314 replace either sex season with brow-tined bull or antlerless.

**HDs 319 and 341** - Reduce brow-tined bull or antlerless general season to 2 weeks from third Monday to fifth Sunday of general rifle season and add brow-tined bull or antlerless permits in 319-10 (300 permits) and 341-10 (175 permits).

**HDs 320 and 333** - Implement 5 week brow-tined bull or antlerless general season **and** **800 300** total A9/B12 licenses through drawing.

**HD 321** - Implement 5 week ES general season **and** eliminate ES permits 321-00.

**HDs 322-327 and 330** - Implement 5 week brow-tined bull or antlerless general season **and** **3000 1000** total A9/B12 licenses through drawing.

**HD 328** - Implement 5 week ES general season for entire district. **Additionally, in the north half of the hunting district add 100 A9/B12 licenses valid on private land and 50 either sex permits.**

**HD 328** - Implement 5 week ES general season **for entire in south half of district.**

**HD 329** - Reduce either sex general season to 2 weeks from third Monday to fifth Sunday of general rifle season **and** add 350 ES permits.

**HD 331** - Reduce either sex general season to 2 weeks from third Monday to fifth Sunday of general rifle season **and** add 400 ES permits.

**HDs 360 and 362** - Implement Madison Special Management Area **and** 200 antlerless permits (398-10) for use with general license or A9/B12 (398-80) in Madison Special Management Area for five 7-day intervals (40 permits per period).

**Hunt Orientation required for permit validation.** Access conditions addressed at Hunt Orientation. Would eliminate all late hunts and remove private land designation of A9/B/12 licenses. **Additionally, an Airport Weapons Restriction Area is proposed (R1E T6S sections 29, 30, 31 and 32 and R1W T6S section 36). The Weapons Restriction area, the A9/B12 private land designation and the elimination of the late hunt would take place in 2008. The Madison Special Management Area with the US Forest Boundary serving as the eastern edge is proposed for implementation in 2009. A broadly supported, effective and collaboratively developed alternative could potentially be a stand-alone Tentative proposal in December 2008.**

**Increase A9/B12 licenses from 200 to 400**

The Weapons Restriction area, **eliminating the late season use of the A9/B12 licenses, eliminating the A9/B12 private land designation, increasing the A9/B12 (398-80) from 200 to 400** and the elimination of the late hunt would take place in 2008.

**HD 390 - Add 400 A9/B12 licenses valid throughout the district through the drawing.**

Licensed hunters with "Permit to Hunt From a Vehicle" added to general elk license youth opportunities.

*Action: Workman moved and Colton seconded the motion to add HD317 and HD314 to brow tine bull. Motion carried.*

Chairman Doherty asked for public comment.

John Crumley, Madison Valley Ranchland Group – opposed to Madison Valley Management Unit as proposed. It is intimidation and not collaboration.

Jeff Kline – said he is representing 90% of the landowners in the Madison Valley Management Area. They have been committed to collaborative efforts.

Gale Shabarker, Madison Valley Sportsman's Group, – would support weapons restrictions at airport area but not the creation of a new management area.

Jerry Doyle - FWP had caused a rift with landowners, does not address the number of elk. No evidence of FWP efforts to secure friendship of landowners.

Lane Adamson, Ennis – opposed to elimination of late hunt. If late hunt is eliminated there is no means to disperse, hunt, or manage the elk. Drawings have different hunters on your land every year – no trust built with them.

Mary Ellen Schnurr – pleased that there is a broad-based collaborative effort.

Representative Diane Rice – said she echoed the statements made by her constituents. She suggested segregating the special management area from the motion. She is concerned about infringement on landowners' rights. People will lock up their property - people in that special management area are already ready to lock up their land to hunting. She will close her ranch that extends from Norris to Cardwell to hunting. HB42 gave FWP until 2009 to achieve sustainable levels of wildlife on private property, and there is a concern that this is being ignored.

Ray Neuberg, HFGA – his association has been involved in the management area and has tried to be involved in this process. They are not totally against the proposal, but are not entirely in favor of it either. His organization recognizes that FWP is developing a starting point.

Vito Quatraro, HFGA – said he is sad. The ranchland group worked hard to put something together to work out the problem of hunters wanting access, and landowners locking up their land.

Glenn Hockett, Tendoy Elk Management Unit - objectives are too low. Hunter numbers and hunter days have doubled. Crowding will be worse with a 5-week season. This proposal promotes unethical behavior. He suggests considering either sex general license on private land, and antlered bull and either sex for youth only on public land. That would allow the landowners the control over access on their land, and might move some elk onto public land.

Bill O'Connell, Gallatin Wildlife – agreed with Glenn Hockett. Go back to the model of brow tine bulls on public land in the Tendoy Management Area.

Vermillion stated this proposal came from discussions with the landowners and sportsmen at the meeting held in Ennis this winter. FWP wants to work with them. This is not an attempt to force the issue, but to give the folks in the area the opportunity to work together to solve the problems..

Kurt Alt, FWP Region 3 Wildlife Manager, said many of the changes to the Tendoy Unit were based on public comments. Part of the districts are over objective, and part are under objective.

*Action on Motion: Motion carried. Four in favor – one opposed (Doherty opposed).*

#### Region 4 – Elk

**HD 410** - Reduce antlerless elk permits (410-00) from 400 to 200 **and** reduce either sex elk rifle permits (410-20) from 75 to 55 **and** eliminate A9/B12 licenses (410-80) **and** eliminate general license antlerless elk hunting for youth.

**HDs 413, 418, 432 and 454** – Implement 5 week ES general season with A9/B12 licenses through drawing **and** eliminate antlerless licenses.

**HDs 418 and 448** – Adjust boundary between HD 418 and 448 (for elk and deer).

**HD 417** - Increase antlerless elk permits (417-00) from 350 to 400 **and** issue 300 A9/B12 antlerless elk licenses (417-80) through drawing. A9/B12 licenses valid south of the DY Trail and Knox Ridge Rd and exclude the CMR refuge.

**HD 422** – Implement 350 total A9/B12 licenses (422-80) through drawing and valid throughout HD.

**HD 425** – Eliminate either sex permits (425-20) **and remove from limited archery permits** **and** implement additional week of antlerless permits. Adjust antlerless

permit levels as follows: 425-00: 25 permits

425-01: 30 permits

425-02: 35 permits

425-03: 35 permits

**HD 442** - Implement 400 total A9/B12 licenses (442-80) through drawing and valid throughout HD.

**HD 448** – Implement full 5-week antlered bull season (remove 9-day ES) **and** increase antlerless permits (448-00) from 100 to 200.

**HDs 449 and 452** – Implement 5 week ES general season.

**HD 450** – ~~Increase antlerless permits from 30 to 50 and~~ remove A9/B12 licenses.

**Region 4 Multi-District A9/B12** - Limit total A9/B12 licenses to 2200 through drawing. Valid in all R4 districts except 401, 410, 411, 412, 417, 420, 422, 441, 442, **447**, 448, 450, and 455.

**HDs 401, 403, 412, 417, 426, 441, 447** – Youth (12 – 15) General License Antlerless Elk opportunity; Licensed hunters with “Permit to Hunt From a Vehicle” added.

#### Region 5 – Elk

**HD 520** – Convert antlered bull permits (520-40) to either sex (520-21).

**HD 540** - Implement 5 week ES general season **and** eliminate antlerless permits **and** implement 50 total A9/B12 licenses through drawing only valid on Private and DNRC lands and not valid on FWP Wildlife Management Areas.

**HD 560** - Implement 50 total A9/B12 licenses through drawing valid west of the Main Boulder River outside Natl Forest Boundary.

**HD 580** – Increase existing total A9/B12 licenses through drawing from 150 to 300.

**HD 590-80** – Implement 65 total A9/B12 licenses through drawing valid in HD 590 north of Yellowstone River and portion of HD 701 north of Yellowstone River, south of HWY 12 and west of Sumatra-Myers Road.

**HD 590-81** – Implement 35 total A9/B12 licenses through drawing valid in HD 590 south of Yellowstone River.

Hunters with “Permit to Hunt From a Vehicle” added to general elk license youth opportunities.

#### Region 6 – Elk

**HD 620** – Allow antlerless permits in HDs 621 and 622 to be valid in HD 620 and eliminate antlerless permits 620-00.

**HD 621** – ~~Implement 100 total A9/B12 licenses through drawing valid in HDs 621 and 620 during archery and rifle season~~ and allow antlerless elk rifle permits in HD 621 to be valid for all of HD 621 in one LPT 621-01 (550 permits)

**HD 622** – Implement 300 total A9/B12 licenses through drawing valid for HDs 622 and 620 during archery and rifle season.

**HDs 620, 621 and 622** - Allow youth antlerless elk rifle permits (621-00) to be valid for all of HDs 620, 621 and 622 during the 3-day early youth season, and throughout the following general season.

**HDs 630, 631 and 632** - Allow youth antlerless elk rifle permits (631-01) to be valid for all of HDs 630, 631 and 632 during the 3-day early youth season, and throughout the following general season

**HD 630** – ~~Implement 100 total A9/B12 licenses through drawing valid for HDs 630, 631, and 632 during archery and rifle season.~~

**HDs 680 and 690** - Eliminate 680-80 antlerless A9/B12 licenses (50) and increase the 690-80 antlerless A9/B12 licenses from 100 to 200, also valid in HD 680. **Also** make 690-00 Youth antlerless permits (25) valid in HD 680 **and** add 50 antlerless elk permits in HD 690 for the General Rifle Season (690-01), also valid in HD 680.

#### Region 7 – Elk

No recommended changes to the tentatives.

*Action: Doherty moved and Colton seconded the motion to approve the Regions 5 and 7 Final 2008-2009 Elk Hunting Regulations as proposed. Motion carried.*

*Action: Doherty moved and the motion was seconded to approve the Region 4 Final 2008-2009 Elk Hunting Regulations as proposed. Motion carried.*

*Action: It was moved and seconded to approve the Region 6 Final 2008-2009 Elk Hunting Regulations as proposed. Motion carried.*

Statewide – Antelope

Replace unlimited 900 archery antelope licenses to **4500 5600** licenses available through the drawing (Regions 3 – 7) **maintain first choice only. This number nearly equals the 2007 application rate of 5523 total licenses. 90% of 3-year average of 2005, 2006 and 2007 total permit holders. Increase number of 900-30 doe/fawn antelope license that may be purchased by a successful applicant from one to two.**

Adjust total number of antelope licenses an individual may hold to three, only one of which may be an either sex license. This would allow an individual to potentially purchase three surplus antelope licenses.

*Action: Colton moved and Workman seconded the motion to approve the Final Statewide 2008-2009 Antelope regulations as proposed, but make the unlimited 900 licenses available in any choice.*

Chairman Doherty asked for public comment.

Gary Carvajal – supports the proposal.

Mac Minard – does not support the proposal.

Mary Ellen Schnurr – combine deer, elk and antelope.

*Action on Motion: Motion carried. Four in favor – one opposed. (Vermillion opposed).*

Region 1 – Antelope

No recommended changes to the tentatives.

Region 2 – Antelope

**HD 291** - Add new hunting district 291 with 3 either sex licenses (291-00) and 5 doe/fawn licenses (291-10) with same boundary as Deer/Elk HD 291.

Region 3 – Antelope

**HD 310** - Increase 310-00 Either-sex licenses from 175 to 200 **and** 310-10 Doe/fawn licenses from 100 to 150.

**HD 311** - **Adjust boundary where doe/fawn licenses are valid to include portion of HD South and West of Interstate 90. Licenses valid throughout hunting district.**

**HD 338** - Offer successful antelope ES 338-00 applicants opportunity to purchase a single Doe/Fawn 338-30 license valid in 338 during the Archery Only Season and the General Antelope Season.

**HD 341** – Add 75 Doe/Fawn licenses (341-10). Single licenses will be offered to successful Either-sex Antelope license holders in this HD.

**HD 380** - Adjust boundary to accommodate new HD 388 **and** eliminate a series of licenses (380-01) which were formerly valid in the area proposed to be the new 388.

**HD 381** – Adjust boundary to accommodate new HD 388 **and** eliminate Doe/Fawn licenses **and** adjust Either Sex permit level to 25.

**HD 388** - Create new HD 388 with 50 Either Sex licenses (388-00) and 100 Doe/Fawn licenses (388-20). Hunting restricted to archery equipment, shotgun, traditional handgun, muzzleloader or crossbow only, EXCEPT on lands that are specifically excluded from the weapons restrictions. Map available at FWP and license providers in Helena. **Revise legal description from Tentative adoption to correspond with Deer/Elk HD 388.**

*Action: Colton moved and the motion was seconded to approve the 2008-2009 Region 3 Antelope regulations as proposed. Motion carried.*

Region 4 - Antelope

No recommended changes to the tentatives.

Region 5 - Antelope

**HDs 570, 571 and 572** - Combine the three adjacent antelope hunting districts into a new HD 570. Hunters who draw an either sex antelope license in HD 570 may be given the opportunity to purchase up to two additional doe/fawn licenses depending on population levels.

Region 6 – Antelope

**HDs 620 and 690** - Adjust the boundary between HD 620 and 690 to conform to Boundaries for Deer/Elk HDs 621, 680 and 690.

Region 7 – Antelope

No recommended changes to the tentatives.

*Action: Colton moved and the motion was seconded to approve the Final 2008-2009 Antelope Regulations in Regions 1, 2, 4, 5, 6, 7 as recommended. Motion carried.*

**16. 2008/2009 Lion Seasons and HD Boundaries – Final.**

*The Commission does not take further public comment when it takes executive action to adopt the final hunting season regulations except when the Commission considers an amendment to the Tentatives. Whenever an amendment to the Tentatives is moved and seconded, the Commission will then take public comment on that amendment. The public comment will be limited strictly to the substance of the amendment.*

Statewide

Set harvest quota during Fall Season Without Dogs no more than 20% of total district(s) quota.

Allow any lion license holder to hunt without dogs during Fall Season in any lion HD with an open Fall Season. This would eliminate validation requirement for Fall Season.

Adjust limited entry language. The title “Permit” would be eliminated. Hunters would either purchase a lion license over-the-counter in general quota areas OR apply for/obtain a lion license via the drawing in limited entry areas.

Implement bonus point system for limited entry license application.

Region 2

**~~Replace the quota system in Region 2 with a limited license drawing system. Maintain current season structure in all Region 2 HDs except the Bitterroot Districts (HDs 204, 240, 250, 260, 261 and 270) where lions would be by permit-only.~~**

Eliminate Blackfoot Special Lion Permit Area (BLSPA). Lands formerly encompassed by the BLSPA would be incorporated into HD 292 and the proposed new HD 298. Lion quota levels would be managed consistent with the current season structure; a quota of 4 male lions annually harvested in the combined HDs 298 (proposed), **290**, 291 and 292.

*Action: Workman moved and Vermillion seconded the motion to approve the Final 2008-2009 Mountain Lion Hunting Seasons and Hunting Districts as proposed in Regions 1, 2, 4, 5, 6, and 7. (Not Region 2). Motion carried.*

*Action: Workman moved and Colton seconded the motion that all of Region 2 shall require limited entry licenses with the exception of the Missoula Special Management Area.*

Chairman Doherty asked for public comment.

Greg Houska, Missoula – don't split off special management area. If permits are adopted, require them in the whole region, not just part of it.

Sanford Shroud, MHA, does not support permit system, but will compromise.

Jason Lay, Helena – does not support the permit system.

Tony Knuchel, Potomac – is 100 percent against permits, but it is ok to try it in the Bitterroot since the folks from the Bitterroot want permits.

Scott Cargill, Whitehall – does not support the permit system.

Mary Ellen Schnurr – supports the quota system.

Paul Converse, Darby – does not support the permit system.

Tom Henderson, Hamilton – the Bitterroot has a perceived problem. He feels there are excess lion.

Bud Martin, Corvallis – quotas are artificially low. He supports limited permits in region 2. Illegal hunting will become a more serious problem than it is. Enforcement must step up and enforce laws.

Scott Bowlanger, Darby - is in favor of limited permits. They will remove local hound hunters and will remove competition.

Luke Bush, Darby - against permits for many reasons. He will probably not get a tag. Competition will increase.

Becky Doyle, Conner – urged the Commission to call the hotline to see that it has not been working. Overharvest has occurred. She is for permits region-wide.

Cal Ruark, Darby, Bitterroot Valley Houndsmen Association - permits put everyone on an even keel. It's good for the cats and allows a longer time period to harvest a cat. Slows down the race.

Rod Bullis, Helena, BVHA - permits will bring fairness to the hunt, and they can hunt longer. He wants ethical hunting.

Jerry Doyle, Conner - supports the permit system.

*Action on Motion: Motion carried. Four in favor – one opposed. (Doll opposed).*

*Action: Colton moved and the motion was seconded to adopt the season structure of Moose in Regions 1-5, Sheep in Region 4, Goat in Regions 1, 4 and 5, Deer in Region 7, and Statewide Mountain Lion. Motion carried.*

**17. Open Microphone – Public Opportunity to Address Additional FWP Issues.** Craig Kusta, Missoula, wants to see waterfowl seasons run 4-6 weeks later. Please consider this.

Mary Ellen Schnurr suggested that MOGA and FWP sit down and talk before the next season setting.

Becky Doyle asked that the Lion Management Plan be updated.

Jason Lay asked if the permit list is available to all houndsmen. Neal Whitney, FWP Licensing Bureau Analyst, replied that the listing is restricted based on the choice made by the applicants. They have the option to be placed on a list that can be sold, or they can elect not to be included. FWP can only give out names and types of licenses, no personal information.

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Director Hagener discussed the letter the Department received from the Nez Perce Executive Committee regarding the 2008 Treaty Hunt Regulations they plan to implement. They will not abide by the numbers that were previously established by FWP and discussed with the Nez Perce Tribe, and they plan to hunt until mid-March even though the Montana and CSKT seasons have already closed. They want to kill 70-110 buffalo, and perhaps kill other species as well. They do not share the same concerns regarding biological impacts and sustainability of the herd. They feel they are entitled to more. If they take more bison than allotted, and kill other species, should citations be issued to them?

Workman reminded the Commission that he had stated day-one that this would become a mess. He recommended sending the Nez Perce a letter that they will be ticketed and arrested if they don't abide by the rules. Negotiations with them have not worked.

Colton concurred with Workman. The Tribe had an agreement with FWP, and they broke it. Additionally, they have never proven that they have Treaty rights to take other species. A lot of work went into reaching an agreement and they broke it.

Doherty stated that he took offense to the statement that Montana fostered the highest success rate – Montana is not fostering success rates. Montana's regulations and biological information is sound. He is very disappointed in the Tribe, and it is time to address the situation. The legislature did not intend for this to happen when they authorized Bison hunting again.

Pat Flowers stated that the Department does not have enough staff to monitor their hunts 24 hours a day every day. They have taken some Bison already, but we don't know how many. Colton said not to let them hunt until they provide verification of what they have killed. Hagener said FWP was not informed of the total they killed last year either.

Action: A motion was made and seconded to write a letter to the Nez Perce Tribe expressing FWPs disappointment and concern at the Tribe's disregard for the agreed upon quotas and seasons, and requesting once again the proof that they are entitled to hunt other species. Additionally, it must be expressed that FWP will issue citations and pursue legal action if necessary. Motion carried.

Action: Colton moved and Workman seconded the motion to adjourn the meeting. Motion carried.

Meeting adjourned at 3:30 p.m.